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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,693	10/25/2000	William Fitzpatrick	4797-30	3242

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EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT PAPER NUMBER

3628

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/696,693

Applicant(s)

FITZPATRICK ET AL.

Examiner

Siegfried E. Chencinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

MINOR INFORMALITIES:

Specification

1. ABSTRACT

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In this instance, Applicant's Abstract contains the word "comprising".
Correction is required.

2. DISCLOSURE

The disclosure contains a hyperlink, on page 2. Hyperlinks are not permitted by MPEP 608.01(a), page 600-60.
Correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 2, 5 and 13 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The word "comprising" renders the claims indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-6, 9-12 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark et al. (US Patent 5,710,889).

Re. Claim 1, Clark anticipates an integrated system for providing financial services, comprising:

- at least one workstation having a central processing unit and a video display screen; at least one host server; a communication system for transmitting information between a workstation and at least one host server; and an application interface operable on the workstation for accessing at least one finance-related software application (Col. 2, line 36 – Col. 3, line 34; Fig's 1 & 15).

Re. Claim 3, Clark anticipates an integrated system as recited by claim 1, wherein the finance-related software application is an investor system for monitoring and participating in investor-mediated transactions on a real-time basis (Col. 5, line 63 – Col. 6, line 16; Col. 13, lines 63-64).

Re. Claim 4, Clark anticipates an integrated system as recited by claim 1, wherein the finance-related software application is a real-time market data application that accesses a market data server (Col. 10, line 49; Col. 11, line 18, a server is inherent).

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Re. Claim 5, Clark anticipates an integrated system as recited in claim 1, wherein the finance-related software application is selected from the group comprising a real-time market data application and a financial planning application (inherent).

Re. Claim 6, Clark anticipates an integrated system as recited by claim 1, wherein the application interface further includes a scratchpad application for moving information between applications (Inherent in MS Windows).

Re. Claim 9, Clark anticipates an integrated system as recited by claim 1, further comprising an authentication system for determining user entitlements and accessing a user preference profile (Abstract; Col. 2, lines 48-50; Col. 5, line 63 – Col. 6, line 16; Col. 6, lines 36-47).

Re. Claim 10, Clark anticipates an integrated system as recited by claim 9, wherein the authentication system populates the application interface based on the user entitlements (Col. 5, lines 13-28; Col. 25, line 64 – Col. 26, line 6).

Re. Claim 11, Clark anticipates an integrated system as recited by claim 9, wherein the authentication system provides access to all applications using a single logon process (Col. 25, line 64 – Col. 26, line 24).

Re. Claim 12, Clark anticipates a workstation for providing financial assistance, the workstation comprising:

- a central processing unit; a video display screen; a communication system for communicating between the workstation and at least one host server; an application interface operable on the workstation for accessing at least one finance-related software application (Col. 2, line 36 – Col. 3, line 34; Fig's 1 & 15); and
- an investor monitoring system (Col. 5, line 63 – Col. 6, line 16; Col. 13, lines 63-64).

Re. Claim 14, Clark anticipates an authentication system for creating an application interface of a financial assistance system, the authentication system comprising:

- means for allowing access to applications permitted by a user entitlement level; means for providing user preferences (Abstract; Col. 2, lines 48-50; Col. 5, line 63 – Col. 6, line 16; Col. 6, lines 36-47); and
- a system for controlling the access to applications and the user preferences (Col. 25, line 64 – Col. 26, line 24).

Re. Claim 15, Clark anticipates a system for providing financial information to end users in a workstation and a host computer comprising:

- an application interface having:
 - means for selectively running finance-related software applications simultaneously; and means for controlling the display of the finance-related software applications (Col. 3, lines 7-34); and
 - an authentication system having:
 - means for determining a set of finance-related software applications that a user is entitled to selectively run and display (Fig. 15; Abstract; Col. 2, lines 48-50; Col. 5, line 63 – Col. 6, line 16; Col. 6, lines 36-47); and
 - means for setting user preferences for the user based on a stored user preference profile (Col. 25, line 64 – Col. 26, line 24).

Re. Claim 16, Clark anticipates a system as recited by claim 15, further comprising means for executing a controller that maps server names; retrieves entitlement levels; retrieves entitlement data; retrieves user preference profile; creates a local user directory; activates application interface with retrieved entitlement data and user preferences; and launches application interface (Col. 25, line 64 – Col. 26, line 24).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark, in view of Maggioncalda et al. (US Patent 5,918,217) and Petruzzi (US Patent 5,806,049) and Fox (US Patent 5,132,899).

Re. Claim 2, Clark discloses an integrated system as recited by claim 1, wherein the finance-related software application is selected from the group comprising (Col. 3, lines 17-23):

- a real-time market data application (Col. 10, line 49; Col. 11, line 18);
- a client information application (Clark, Col. 2, line 36 – Col. 3, line 34; Fig's 1 & 15);
- an office productivity application (Fig. 15).

However, Clark does not explicitly disclose:

- a financial planning application;
- a calculator application;
- an investment products application;
- an opportunities application opportunities application (Petruzzi, US Patent 5,806,049, Title); and
- an investment research application (Fox Col. 5, lines 45-53; many available, among best known available on line is Value Line.).

Maggioncalda discloses:

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- a financial planning application (Col. 2, line 33 – Col. 3, line 63; Col. 5, lines 32-33);
- a calculator application (Col. 1, lines 31-48; Col. 8, lines 24);
- an investment products application (abstract; Col. 2, lines 12-30, 54-65);

Also, Petruzzi discloses an opportunities application (Title); and

Fox discloses an investment research application (Col. 5, lines 45-53).

It would have been obvious at the time of Applicant's invention to have combined the disclosures of Clark with those of Maggioncalda, Petruzzi and Fox for the purpose of providing an integrated system for providing financial services that can perform a number of different finance-related functions.

Re. Claim 13, Clark discloses a workstation as recited by claim 12, wherein the finance-related software applications are selected from the group comprising (Col. 3, lines 17-23):

- a real-time market data application (Col. 10, line 49; Col. 11, line 18);
- a client information application (Clark, Col. 2, line 36 – Col. 3, line 34; Fig's 1 & 15); and
- an office productivity application (Fig. 15).

However, Clark does not explicitly disclose

- a financial planning application;
- a calculator application;
- an investment products application;
- an opportunities application; and
- an investment research application.

Maggioncalda discloses a workstation as recited by claim 12, wherein the finance-related software applications are selected from the group comprising:

- a financial planning application (Col. 2, line 33 – Col.3, line 63, Col. 5, lines 32-33);
- a calculator application (Col. 1, lines 31-48; Col. 8, line 24);

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- an investment products application (Abstract; Col. 2, lines 12-30, 54-65).

Petruzzi discloses an opportunities application (Title); and

Fox discloses an investment research application (Col. 5, lines 45-53).

It would have been obvious at the time of Applicant's invention to have combined the disclosures of Clark with those of Maggioncalda, Petruzzi and Fox for the purpose of providing an integrated workstation in performing financial services through a number of different finance-related functions.

3. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Maggioncalda.

Re. Claim 7, Clark does not explicitly disclose an integrated system as recited by claim 1, wherein the communication system connects a workstation to at least one host server via the Internet. However, Maggioncalda discloses an integrated system as recited by claim 1, wherein the communication system connects a workstation to at least one host server via the Internet (Col. 6, line 65).

It would have been obvious at the time of Applicant's invention to have combined the disclosures of Clark with those of Maggioncalda for the purpose of providing an integrated financial services system which can perform a number of different finance-related functions wherein the system connects a workstation to a host server via the internet.

Re. Claim 8, Clark does not explicitly disclose an integrated system as recited by claim 1, further comprising a financial advisor. However, Maggioncalda discloses an integrated system as recited by claim 1, further comprising a financial advisor (Page 2, Other Publications, Title – Net Results™, "Your On-Line Financial Advisor").

It would have been obvious at the time of Applicant's invention to have combined the disclosures of Clark with those of Maggioncalda for the purpose of providing financial services which include an on-line financial advisor.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 703-305-6199. The Examiner can normally be reached Monday through Friday, 9am to 6pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on 703- 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington D.C. 20231

or faxed to:

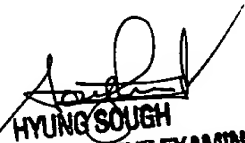
(703)872-9306 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-9601 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2411 Crystal Drive, Arlington, VA, 7th floor receptionist.

SEC

November 3, 2003


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SUPERVISORY PATENT EXAMINER
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